

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

IVORY JAMES SMITH,)
)
Plaintiff,)
)
v.) CIVIL ACTION NO. 2:07-CV-1005-MHT
) [WO]
DAVONDA GREENWOOD, *et al.*,)
)
Defendants.)

OPINION

This litigation is now before the court on the recommendation of the United States Magistrate Judge, entered on November 16, 2007 (Doc. #4), that the plaintiff's claims for relief lodged against defendants Davonda Greenwood and A. Tillman be dismissed with prejudice in accordance with the provisions of 28 U.S.C. § 1915(e)(2)(B)(i)(ii) and (iii); that, to the extent the plaintiff presents claims challenging his confinement for a violation of the terms of his parole and the constitutionality of a criminal charge pending against him before the Circuit Court of Montgomery County, Alabama, these claims be dismissed without prejudice pursuant to the directives of 28 U.S.C. § 1915(e)(2)(B)(ii); and that this case be dismissed prior to service of process.

After a review of the recommendation, to which Plaintiff did not object, and after an independent and de novo review of the entire record, the court believes that the recommendation should be adopted.

An appropriate judgment will be entered.

DONE, this the 19th day of December, 2007.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE